

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 637 by Representative Ponti

INDUSTRIAL DEVELOPMENT/BDS: Provides for changes to the Louisiana Industrialized Building Act

Synopsis of Senate Amendments

1. Provides that the transfer of fees and monies from other sources into the Industrialized Building Program Fund be subject to an appropriation by the legislature.

Digest of Bill as Finally Passed by Senate

Present law defines "commercial building," "industrialized building," and "modular component."

Proposed law changes the definitions of present law.

Proposed law defines "fund," "module," and "secretary."

Present law requires the state fire marshal's stamp of approval on certain designs, plans, and specifications.

Present law provides that the state fire marshal may establish reasonable fees for the implementation of present law.

Proposed law repeals present law with regard to the establishment of fees.

Present law provides that the state fire marshal may allow approved third-party inspectors to perform the inspections subject to the rules or regulations adopted and promulgated by the council.

Proposed law repeals present law.

Present law provides that a building code enforcement officer or a registered third-party inspector shall inspect construction involving industrialized buildings to ensure compliance with designs, plans, and specifications.

Proposed law retains present law but provides that the state fire marshal or designee can inspect construction involving the installation of industrialized buildings.

Present law provides that the state fire marshal place decals or insignia on each transportable modular section or modular component to indicate compliance with the building code.

Proposed law retains present law but allows for the state fire marshal to exempt an industrialized building that is installed in a manner other than on a permanent foundation and is either not open to the public or less than 1,500 square feet in total area and used other than as a school or a place of religious worship.

Present law provides that a parish or municipality that regulates on-site construction or installation of industrialized buildings may require and review a complete set of designs, plans, and specifications bearing the state fire marshal's stamped approval for each installation of industrialized buildings.

Proposed law retains present law but allows for a copy of designs, plans, and specifications

on-site.

Proposed law provides that the state fire marshal may establish by rule reasonable fees in order to implement the provisions of present law, not to exceed the following:

- (1) Manufacturer registration, \$350 per year per location.
- (2) Dealer registration, \$250 per year.
- (3) Plan review:
 - (a) Shall not exceed \$500 for buildings of 2,000 square feet or less.
 - (b) Shall not exceed \$0.30 per square foot for buildings over 2,000 square feet.
- (4) Code equivalency review, \$100 per review.
- (5) Inspections, \$40 per hour, including travel time.
- (6) Decal or insignia issuance:
 - (a) For modules, \$0.07 per square foot of floor area, with a minimum fee of \$25.
 - (b) For components, \$0.02 per square foot of surface area, with a minimum fee of \$0.60.

Proposed law provides that all proceeds derived from the fees and all amounts received by the secretary from interest, fines, or penalties or any other source pursuant to present law shall be deposited with the state treasurer. After compliance with the requirements of Const. Art. VII, §9(B), the state treasurer shall, each fiscal year and subject to an annual appropriation by the legislature, credit to the "Industrialized Building Program Fund," an amount equal to the amount of money paid into the treasury by the secretary pursuant to the provisions of present law. All unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned on monies in the fund invested by the state treasurer shall be deposited in the fund.

Proposed law provides that monies from the fund shall be appropriated and paid to the secretary at the beginning of each fiscal year to be distributed to the office of state fire marshal, code enforcement and building safety, and shall be used for the implementation of present law.

(Amends R.S. 40:1730.53(2), (5)(a) and (d), and (6), 1730.60, 1730.62(B) and (C)(intro. para.), and 1730.65(C)(1); adds R.S. 40:1730.53(5)(e), (7), (8), and (9), 1730.63(C), 1730.67, and 1730.68)